

H. Graculus, Pres.
THE

H I S T O R Y

OF THE

LAST SESSIONS OF PARLIAMENT,

ADDRESSED TO THE RIGHT HON. THE
EARL OF CHARLEMONT.

Fuit, fuit ista quondam in hac reipublica virtus, ut viri
fortes acrioribus suppliciis civem perniciosum quam
acerbissimum hostem coecerunt.

CIC. IN CATIL.

The Representatives of the People are essential to the
making of Laws, and there is a time when it is morally de-
monstrable that Men cease to be Representatives. That time
is now come, THE PRESENT HOUSE OF COMMONS
DO NOT REPRESENT THE PEOPLE.

*Address of the City of London to the King, praying a dis-
solution of Parliament in the Year 1770.*

By a MEMBER of the SUB-COMMITTEE of CONVENTION.

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M,DCC,XXXIV.

TO THE
EARL OF CHARLEMONT,
MY LORD,

*I*T is not the deference, usually attendant upon high rank and station, that leads me thus publicly to address you. Your Lordship has a better claim, and I have a more reputable motive.

*I*N the rapid advancement and decline of our political characters, you still possess, and, I most sincerely believe, deserve the very honourable confidence which the people first reposed in you. But it is not enough to have deserved and to possess their confidence. The service of our country is not a service of repose, nor should the present be a season of inactivity.

*Y*OUR situation is indeed exalted. Exalted beyond the flight of vulgar ambition. Yours is the command of an army of FREE CITIZENS.

A station that, from its nature, knows no distinction

inction between obedience and attachment, and yet a station in which the most unsullied virtues and purest patriotism will not represent the hero, unless animated with the bolder and more prominent features of firmness, vigour, and decision.

FROM a destiny that presides over human affairs, it will sometimes happen, that the qualities that endear and decorate the Citizen, deform the minister. The credulity that conscious integrity is so apt to inspire, the suspicious vigilance that the same credulity is so averse to entertain, this principle of credulity it is which, transplanted from the shade to the statesman, shoots but to destroy and quickens at the risque of public safety.

WHY do I hold this language to you, my Lord? that it may not apply hereafter. That you may not be lulled by the arts of a mischievous administration to a security that must affect your character and country. That you may reflect, that there are moments of political depravity, when not to resist is to countenance, and when submission must be as ruinous as defeat.

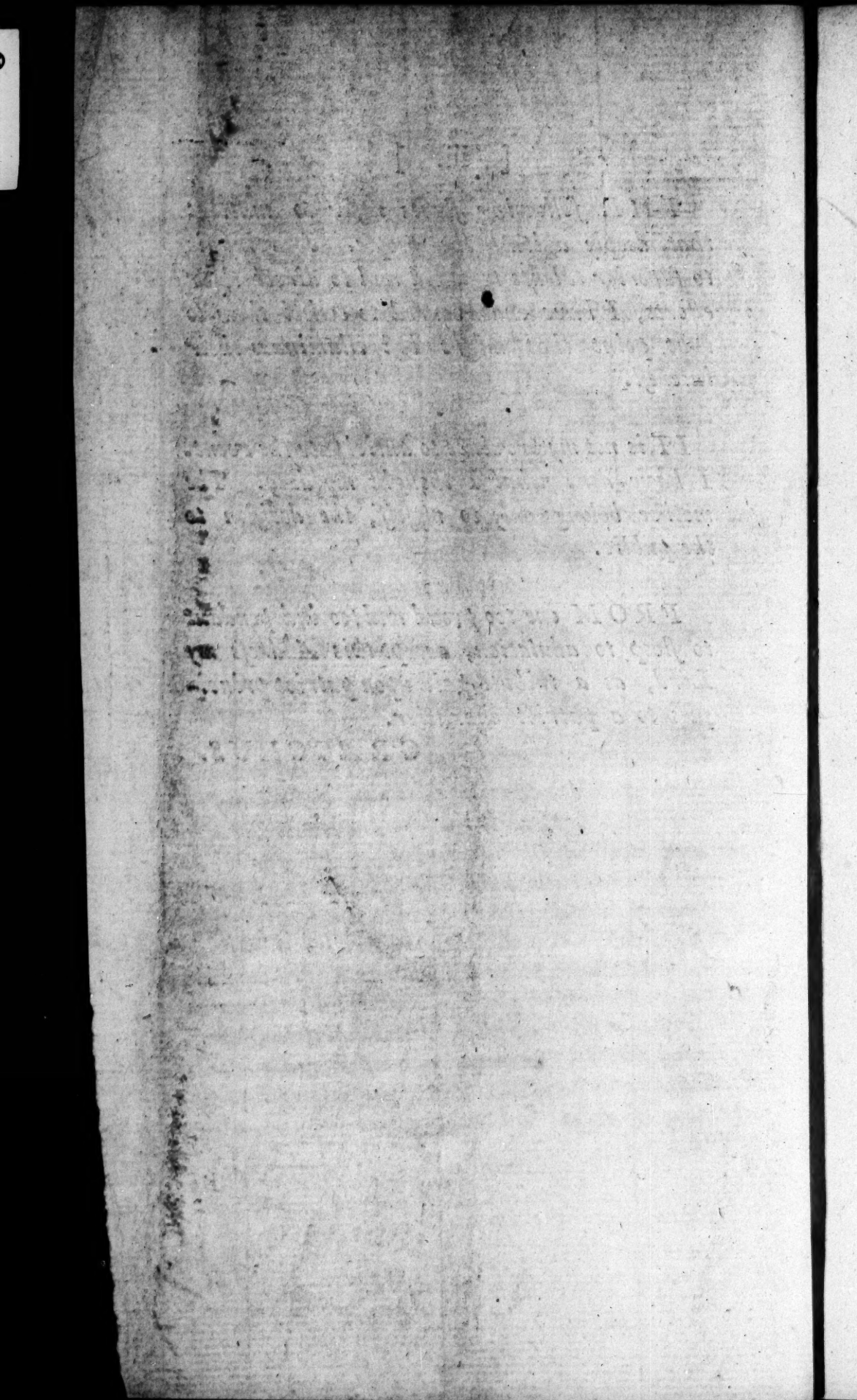
THE

THE following sheets refer to matters that deeply agitate the people. Leaving it to superior talents to wield and to direct their efforts, I have endeavoured to collect them to that point that might best illuminate their interest.

IT is not my province to anticipate the event. I have done what I thought my duty. The motive belongs only to myself, the decision to the public.

FROM one too proud and too independant to stoop to adulation, accept this Address my Lord, as a tribute paid upon patriot principles to a patriot character.

GRACCHUS.



But even if this course did not occasionally
lead to an enquiry into the fitness of the
country, the very unusual circumstances that have
recently occurred, would be sufficient to raise the
most inactive mind to a sense of national danger,
and the necessity of recommending some means
that might appear likely to avert it. The un-
tested resolution which in the place of a
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let it necessary to step back for a moment, to
account for the very irregular apathy with which
the people then viewed the conduct of parlia-
ment, contrasted with their visible anxiety at the
present hour.

LAST SESSIONS OF PARLIAMENT.

AS we have not yet entirely forfeited the privi-
lege of speaking out our opinions upon political
measures and political characters, and as it has
now become a matter of serious doubt, how long
and what remnant of this privilege may be left us;
it cannot excite any extraordinary surprise, that one
who, foolishly perhaps, over-rates its value, should
seize, with some sort of precipitancy, upon the pre-
sent moment, for obtruding his sentiments upon
the public.

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BUT

BUT even if this principle did not peculiarly animate to an enquiry into the situation of the country, the very unusual circumstances that have so lately occurred, would be sufficient to rouse the most inactive mind to a sense of national danger, and the necessity of recommending some means that might appear likely to avert it. The unexpected revolution which, in the space of a few years, has taken place in our government, renders it necessary to step back for a moment, to account for the very singular apathy with which the people then surveyed the conduct of parliament, contrasted with their visible anxiety at the present hour.

IN proportion to the interest we feel in the proceedings of our representative, must be the vigilance with which we superintend them. Heretofore such interest was very limited indeed, dependant upon another kingdom our parliaments seemed rather calculated to register the edicts of an English council, than to secure the commerce and constitution of Ireland. It was the law of the strong to the weak and consequently submitted to. Thus circumstanced, the duty of the representative was narrowed to the mere business of internal police and domestic regulation, his election was made for life and his demeanour perfectly correspondent with the principles of such an election. But fortunately for mankind, there is an hour of retribution which fails not to overtake nations as well as individuals. America, in support
of

of her freedom contested it with England and smote the usurper, with equal dignity and better fortune; this kingdom asserted her freedom also: and that voice which had never reached the throne but in the querulous monotony of complaint and supplication, now first uttered with the irresistible superiority of conscious virtue, peaceably gained for Ireland that emancipation, which in the new world was the price of civil warfare and extended carnage.

THE independence of Ireland was not completely ratified till near the close of the last parliament; a parliament deservedly high in public estimation, not for having liberated the kingdom, for that was more properly the work of the Volunteers, but for having yielded to and given efficacy to the efforts of the Volunteers. It is better to discriminate than confound; truth cannot be invidious, they are the enemies of truth and the constitution, who would strip the Volunteer Army of its trophies, with an intent to decorate the late counsel of the nation; the very parliament that ratified our independence would not have dared to pronounce the word, but that it was backed by the Volunteers; the very sound of independence at another moment would have shaken the colossal pillars of its edifice. It was the people that spoke and government complied; not servilely not reluctantly, not partially, but in every respect suitable to the value and solemnity of the crisis. It was then the compliance of parliament, it was its spontaneous

neous efforts to further the intentions of the subject, that have stamped it with the approbation of the public. Truth is its best panegyrist, and they who would surpass the truth deform what they wish to embellish.

Thus the kingdom acquired a new rank and the electors a new interest in the conduct of their representatives. While they had created a body incompetent to relieve, they were naturally regardless of its proceedings; but the impotence of parliament being removed, the indifference of the constituent was of course at an end. Now it is that the meanest individual has gained a valuable stake in the common-weal which he cannot yield without desertion; that the principles of civil liberty open and expand on all sides; and that every shock given by the legislature, must communicate to the outmost circle of the constitution. Thus drawn towards and connected with the conduct of our representatives, let us examine it with the steadiness and moderation as may best become our own character and the importance of the occasion.

DURING the sitting of parliament, it would not have been entirely consistent to have instituted an enquiry. Their measures truly new and truly alarming, were succeeded in such rapid progression by others so much more so, that it was impossible to divine at what point the climax would determine. The passions of men were kept in constant play and

and agitation; no strength; no coolness of understanding was equal to produce one temperate or collected appeal to the public. It was a kind of fever that spread throughout the nation, and suspended alike the functions of the mind and body; the few that escaped its influence found an antidote in the politics of the sister kingdom. For so totally immersed were they in the fate of an East India Bill, or in the state of the poll for Westminster, that a stranger must have thought the prospect of reversionary nabobships, or at least the independence of Ireland was involved in the event of an election. The present moment is free of all objection to enquiry, the sessions are, fortunately, at an end, the proceedings of parliament can be embraced in one view, and, while due time has elapsed to ensure dispassionate investigation, every transaction is of such recency, that any attempt to misrepresent would lead to its own detection.

BUT there still remain reasons of a far stronger tendency that press the necessity of immediate enquiry. The ordinary business of government, carried on thro' the ordinary channel of corruption, could not have well roused the attention of men to any singular perseverance. But when a general spirit of opposition has gone abroad, when characters of the gravest cast and most moderate demeanour are startled out of their natural inactivity, in order to impede the measures of the state, it is full time to trace the causes of such extraordinary combinations.

It

It is full time to appreciate the conduct and principles of the nation; that if the symptoms of disgust and dissatisfaction are found to originate in the natural levity of the people, or artificially created in them by the interested views of their leaders, that an impartial statement of the truth may lead us to reflect and to amend. If on the other hand the animosity of the subject has but succeeded to the delinquency of those in power, if the pride and interest of the nation have been impudently wounded by its representatives, that, at so alarming a crisis, every citizen may unite in promoting such measures as best promise instant redress and permanent correction.

THE present parliament received its birth in a season of national exultation. It was the first that for centuries had been elected by an independent people, and with so new and illustrious an auspice, little suspicion could be entertained against the future patriotism of its proceedings. the inequality of representation had long been felt and complained of,

*Hoc fonte derivata clades
In patriam populumque fluxit.*

While we continued subjected to the thralldom of a foreign government, the necessity of a parliamentary reform had been but faintly insisted upon. The present moment seemed favourable to the measure. Our Independence had been lately ratified by the legislatures of the respective kingdoms, and it now as if naturally, devolved upon those citizens, who had already emancipated their country, to emanci-
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pate the constitution. They were armed with the gratitude of the public, and they could harbour little doubt of success from the acknowledged justice and expediency of their object, the according voice of the people, and the weighty influence derived from national service. It is not necessary to trace the conduct of the Volunteers thro' their provincial meetings to the moment when having digested a plan of reform, they referred it to the consideration of parliament. The whole is matter of such publicity and importance, that it is not in the power of misrepresentation to affect an iota of the truth. The proceedings of Convention were not shrouded in mystery or darkness. They were open to the public and have been honored with its approbation. It is not in this place that the merits of their plan can be discussed. Thus much in common justice may be said, that it was neither fraught with speculative principles nor new-fangled doctrines, that it neither dealt in experiment nor innovation, and tho' possibly not the best that human wisdom could devise, yet at least it must have had some excellencies to recommend it, from the almost unanimous applause that awaited it in every quarter of the kingdom. But to proceed to its reception. To obviate any objection that might lie against the interposition of Volunteers in matters of legislation, the individual who was to superintend the progress of the bill, presents it to the house as his own. Not satisfied with so scrupulous an attention paid to the delicacy of parliament, the constitution is supposed instantly to be polluted by the touch of an armed band, and a majority

majority found hardy enough in opposititon to its own * conduct on a similar occasion, to refuse a member permission to bring in a bill of reform, because it *might* be the bill digested by the National Convention.

On that memorable night when a desperate and mercenary phalanx broke down the fences of the constitution, that nothing might be wanting to commemorate the victory, an address is voted to the King apprehensive of the safety of the state, and libellous of the character of the Volunteers. Those Volunteers, whose services had been repeatedly echoed thro' every department of administration, and as repeatedly honored with the thanks of every branch of the legislature, are now indirectly defamed to their sovereign as endangering the security of his government.

I shall not comment upon the conduct of parliament on this occasion. I am not yet so decidedly its enemy to endeavour to perpetuate its disgrace. The journals of the house will afford ample justice to the nation. They record the resolution, and leave nothing to resentment to work upon. *The delinquent and the witness are the same.*

* On the preceding year parliament gave Sir Edward Newenham permission to bring in a bill to correct the representation of the people.

WHAT

What is the spur of human actions but interest or principle? What makes to embrace one measure and reject another, but that we think it right, or hope to find our advantage in doing so? this is the immutable law of nature that has governed the one and the many, since the beginning, and must alike govern to the end of the creation.

APPLY this reasoning to the character and principles of Convention. The members of that body must have been actuated by the same motives that influence the rest of mankind; and it was but fair to presume them the most honorable, from their precedent conduct and their uniform patriotism. but we'll suppose that it was a mere principle of private interest that animated them to the claim of a more equal representation. That very principle must have operated as a security in favor of the laws and the constitution. If property and fortune are the criteria of consequence, the members of Convention were of equal consequence and possessed an equal interest in the public welfare, as the members of the house of commons. The bold, the indigent and the desperate, may find their account in a dissolution of the bonds of government, but the rich and the affluent are seldom Catalines. If property does not bestow virtue, it at least affords security. And there cannot be under heaven a more irrefragable argument in favour of a reform of parliament, than originating with the people, that it should be embraced by almost every man of rank and fortune in the kingdom, except the individuals whose respective

interests

interests or usurpations were supposed affected by a more equal representation.

It has been said that property gave security. But security is not to be understood inactivity. Many and splendid are the instances when the higher orders of the community have leagued themselves with the people, in order to correct the abuses of government. Such was the association of the Barons and their adherents at Runnymede, to which England is indebted for MAGNA CHARTA. Such the association of the nobles and commons, to defeat the tyranny of James the Second, to which England is indebted for a BILL of RIGHTS, and the House of Brunswick for a CROWN. Such was of late the association of the Volunteers to ward off foreign invasion and to withstand foreign usurpation, to which Ireland it indebted for her INDEPENDENCE. But enterprizes, of this nature, were never, till the present day, given out as subversive of the constitution, save by knaves or madmen. To correct the defects of the representative body, has been charged as innovation. If to attempt to rectify an evil be innovation, the calumny is grounded; but by a like parity of reasoning, Magna Charta was innovation, the abolition of the courts of Star Chamber and High Commission and all the despotic engines of Charles the First was innovation, the expulsion of the Stuarts, the Act of Settlement the Hanoverian Succession, the declared illegality of general warrants, were all innovations in the constitutions of England; and to come home to ourselves, the patent which places the present
Judges

Judges upon the bench, the judicial competence of the lords, the freedom of commerce, the Declaratory Act are all so many innovations in the constitution of Ireland. Silence then to the wretch that dares to defame by the invidious term of innovation, the attempts of a spirited and an enlightened people to purge the constitution of its dross, and to restore it to its first principles. If the constitution of England, if the independence of Ireland are not justificatory of the conduct of the Volunteers, even truth herself must be inadequate to their defence.

THE PLAN OF REFORM rejected under the apprehension of dictating a line of conduct to parliament, left that body with the shadow of an excuse. Fear is an involuntary emotion, and however incompatible with an honorable motive, may, in some degree, extenuate a bad one. The people, moderate and determined in their pursuits, condescended to make the distinction. The Reform Bill is a second time presented to the house, by the same member to whose care it was originally entrusted, in the shape of petitions from the far greater part of the counties and most respectable corporations in the kingdom: the event of this business constitutes an æra perfectly new in the history of a free government. A bill professedly the favourite of the people, backed with all their authority and affecting alike their interest and their passions, is not only refused to be committed by those, to whom the will of the subject should be law, but is finally scouted out of the house by a majority,

rity, that, if no other argument was at hand, would be so damning a proof of the necessity of a reform as would shake even the principles of a sceptic.

It has long been a question in England, how far a representative is bound to obey the voice of his constituents; in this there is almost entire unanimity, that he should resign his seat when he cannot comply with his instructions; thus the individual, ceasing to be a representative, preserves his independence, the constituents their authority. But it was never yet a question with any set of men, who had the faculty to think and the honesty to speak as they thought, whether a house of commons had a power to act not only independantly of, but diametrically opposite to the instructions of its constituents. Should the prayer of every subject, represented in parliament, pointing at the same grievance and soliciting the same relief, be preferred in vain, a monster is engendered in the constitution which must inevitably destroy it. This monster is an *independent House of Commons*, not independent of the corrupt solicitors of its virtue, of the influence of the crown or the arbitrary dictum of a minister, but a House of Commons *independent of the People*. Should such a moment arrive there would be an end to the democracy, and in conformity to such principles a member might as well derive his right of election from heaven as from the people. The doctrine of divine hereditary right,

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so long interred with the despotism that gave it birth, would take a new root in parliament and acquire new vigour from the richness and corruption of the soil. But these are considerations that must refer to other times and other countries; passive obedience is not the feature of the present day, nor can it be readily apprehended that this nation will submit to in the subject, what it would not tolerate in the sovereign.

THERE are some matters that it will be only necessary to touch upon. The proposed encrease of salaries to the chief governor and secretary, the creation of new places and burdensome emoluments with measures of a like nature, which, perhaps, might be justified by the extraordinary rise and prosperity of the state, could never have swelled to sufficient importance to excite any thing beyond silent contempt, if it was not for a peculiarity of feature, that at the moment discovered itself in the countenance of administration.

It is the lesser occurrences of life that develop the real principles of the heart, hypocrisy cannot be had upon all occasions, it may be left at home, or it may be turned the wrong side out, or it may fall off at the most critical juncture. So that the most consummate knave that might have passed without detection had he ventured without disguise, will frequently lead to a knowledge of his real character by his very efforts to conceal it.

Such

SUCH was at this time the doleful plight of the servants of government. They deserved commiseration, they were taken by surprize and acted without concert; their very Dummies forgot themselves, and articulated. One played off the independence of the viceroy against the idea of compensation. Another with-held a refusal in consideration of his successor. It was the ambiguous responses of the antient oracle, without its inspiration; or the modern affectation of modesty that meretriciously rejects a temptation, to enhance the wages of iniquity.

AN ABSENTEE BILL had long been the favourite of the people, more urgent measures had for some years kept it back from public attention. In the present sessions, it was revived under circumstances that promised little to its success. The merits of such a bill are certainly liable to discussion. The liberty of the subject is so closely connected with the free expenditure of his property, that nothing but the last necessity can justify any restraint; and regulation being laid upon the latter. Whenever such necessity arrives, it must supersede every argument of convenience, because it applies only to times to which convenience cannot extend. Another objection to such a tax is, that it may be raised to any amount, with the same facility that it levies one shilling in the pound it may levy nineteen, and with so powerful a temptation to transgress. I am afraid the discretion of ministers would be but a feeble protection to the absentee. The justice

tice of such a bill, considered abstractly, is unquestionable. The policy of it by no means so clear. Besides it is more our duty to consider how to get rid of taxes, than how to augment their number. At all events an Absentee Bill should never be brought in as an instrument of finance, but as a substitute for taxes already established, and should specify those it meant to abolish. A commodity is not to be subjected to a tax because it can bear one, but because the exigencies of the state require it. This is the only argument that taxation can ever have, and without such argument, it is arbitrary, vexatious and oppressive. The bill to tax absentee property was introduced in a mode and moment highly unfavorable; it spread an alarm that could be attended with no good consequences. But even supposing the measure as salutary as has been insisted on, it would have been prudent to have postponed it for a time, till men of more experience and more parliamentary influence than stepped forward on the occasion, had an opportunity of preparing it for discussion. These sentiments may perhaps run counter of popular opinion, but as they flow from conviction they are given without reserve.

As it has been the policy of all governments without distinction, to diminish its forces in time of peace; it was naturally expected, when our MILITARY ESTABLISHMENT came under consideration, that such a reduction would take place as might ease the property and apprehension of the subject. In the midst of the late war and almost in the

the certainty of invasion, five thousand regulars constituted the utmost of the force that remained for our defence. It was a moment of desertion when government might be fairly said to have *abdicated its trust*. The spirit of the people fortunately averted the danger. It is now authentically known that the volunteer associations, which took their rise at that juncture, prevented a descent which had been long meditated by the enemy. Is it then unreasonable to enquire by what subversion of common sense and commonpolicy, this island is to be burdened with a military establishment nearly equal to that of Great Britain, in the midst of profound peace, when scarce a third of the present complement had been reserved for its protection under the actual terror of invasion? Is Ireland, in gratitude for her independence, to be made a nursery of soldiers for the service of England? or are there other enemies more formidable than France and Spain, that disturb the tranquillity of government. Let ministers speak out. The Volunteers at least will defend them. They are not forgetful of past favors, nor unmindful of the thanks with which they have been so liberally requited.

THE PROTECTING DUTIES have been much canvassed on their appearance, and have since almost engrossed the attention of the kingdom. I am so little conversant in commerical regulations, that it is with the greatest deference I hazard any thing like an opinion upon the subject.

It

It has ever been esteemed among the prime duties of government, to afford all possible assistance to its manufactures. Self interest so necessarily leads to the observance of this duty, that an instance seldom occurs of its neglect. Nothing can be more natural than that government should encourage that industry which constitutes the wealth of the state, and consequently multiplies its own resources. But it will sometimes happen that in dependancies, or subordinate establishments, a contrary system is adopted. They are subjected to an administration deputed from abroad, which may be instructed to cramp the industry of the native, lest it should come into competition with the manufacturers of the mother country. This, no doubt, would be thought downright knavery among individuals, but there is a greatness in the conduct of statesmen to which the vulgar rules of morality are not always commensurate.

THE manufacturers of Ireland have for ages past experienced a neglect that nothing could equal but the most infatuated partiality for foreign commodities. The evil has risen of late to a very formidable pitch. The consequences are visible on all sides. The want of employment has turned adrift upon the public its most useful citizens. It is not in the province of language to do justice to the emaciated victims that crawl thro' the metropolis as if to beg an hourly reprieve for their existence. Where was the dignity or wisdom of government that could apply no more permanent redress than what was derived

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from

from eleemosynary bounties and daily contributions?

It is proved by authentic documents that near three hundred thousand pounds worth of woollens of English manufactures are imported each year into the kingdom. The object of the protecting scheme was to subject them to such duties as might prevent the Irish manufactures from being underfold at home. Thus far it must have followed, that a considerable quantity of specie would be retained in the kingdom, the landlord and every person deriving under him, the grazier the wool-grower the drapier the dyer, each of which respectively promotes various branches of industry, would be highly benefitted, and, without considering foreign markets, to which, with the assistance of bounties judiciously bestowed, we might be able to send our cloths, thousands of our fellow-creatures would be put into immediate ease and employment, that are either perishing for want, or straining their last efforts to purchase a passage to America.

THESE advantages are not of a speculative nature; they are positive and certain. They have not, however, been conclusive. They have not been able to overcome an apprehension that England might retaliate on our linens. This trade, considerably more than equal to all the rest we possess, produces annually something short of a million and a half.

It is without doubt matter of very serious deliberation how far we commit the principal staple of the country with the view of advancing a secondary tho' very extensive object of manufacture. But, with deference to those that press so strongly the danger of retaliation, let it be considered, that those, the most intimately concerned in the business, have declared in favour of Protecting Duties. The inhabitants of the North do not apprehend the many dangers which have startled the imaginations of several respectable citizens. It might be expected their opinion would have as much weight as that of any other description of men whatsoever. If it be declaratory of affection or complimentary to the distresses of Ireland that the English take off such quantities of our linens, we should admit with caution any experiment that might weaken such a disposition. But these are not the links of commerce. It is the repetition of the same link only that constitutes the chain and that is interest. As long as this interest subsists, England will continue to buy our linens and the moment she finds a better mart to resort to, we may rest satisfied that the rejection of Protecting Duties will avail us but little.

FROM the interest which the metropolis is supposed to have in all matters of commerce and legislation, it had hitherto been usual with government to honor it with some degree of attention. The policy of such a conduct was evident and could be attended with no very great expence of dignity or condescension. The liberal and more enlarged

views of the present day have given birth to a new system of impartiality, in which it has been determined that the capital should make no exception to the insults that have been so prodigally heaped upon the rest of the kingdom.

A few symptoms of discontent that about this time broke out in the body of the people, and that at any other season would have scarce excited public curiosity, are thought sufficiently alarming to require a parliamentary consultation, the prescription is still extant and in all respects worthy of the hand that wrote it. An enquiry wantonly instituted and as wantonly carried on, terminates in a **CENSURE OF THE CHIEF MAGISTRATE** for a breach of duty. With such a declaration of the sense of parliament let civil officers beware how they prefer their attachment to the constitution, to obedience to the mandate of a secretary. Should any disturbances take place hereafter, the discretion of government will no doubt devise something more permanently corrective than a vote of censure. A bill for the better securing the liberty of the subject by restraining his licentiousness, would perfectly correspond with the arbitrary and vindictive character of those wretched sycophants that have crept into counsel. Of those who acknowledge no law but that of force, no principle but that of obedience, and who, to give a new tone to their authority, would supersede the functions of the civil magistrate by military interposition.

I SHALL

I shall conclude the consideration of this subject with an extract from the pleadings of Mr. Murray, now Lord Mansfield, acting at the bar of the House of Commons as counsel for the petitioners in the contested election for Westminster.

“Troops are kept up by bills; *not for the assistance of the civil magistrate*; that would be an annual keeping up of troops for a reason that lasts for ever. This will still farther appear from this, *that no civil magistrate can command assistance from any body of troops*; and if the law considered them as necessary to assist him, the law would give the civil magistrate some power to command them there, but when troops do go, they go by virtue of military authority, and act there under military command. The authority which the law gives the civil magistrate in the execution of legal commands is this: they may command assistance of every man within their jurisdiction, every man is a constable for keeping the peace, and what is the consequence if men do not obey? they are liable to a prosecution by indictment or information, and they are clearly so liable. *But can any civil magistrate send any warrant to the guards? is there such a warrant known to the law?* would any military officer be obliged to obey it? no, certainly, for if he did not there could be no prosecution against him.”

“BUT

“ But it will be contended, that if a body of troops
 “ come there, and any one deserts, is he not li-
 “ able to be shot to death according to military di-
 “ scipline, if a sheriff was to order a soldier to do
 “ one thing, and his officer another, I submit it to
 “ you whether he must not be tried by a court
 “ martial. Would you, on pretence of keeping the
 “ peace, suffer a company of guards to stand in the
 “ lobby? *no man would wish to see that day when the*
 “ *civil government of this country cannot support itself*
 “ *without the assistance of the military.* I will be bold
 “ to say, when it is not, that civil government is
 “ undone, for it is then not the *law*, but the *mi-*
 “ *litary power* that governs. The argument will
 “ hold in general in every case; but suppose a case
 “ of most extraordinary necessity, when the civil
 “ magistrate is really overpowered, and there is
 “ fire set to the town, shall not the troops be then
 “ called to his assistance? I think I put the objecti-
 “ on as strong as I can. That fatal argument of
 “ contending for an exception to constitutional
 “ principles, that fatal argument has brought us,
 “ many times, to the brink of destruction. No-
 “ thing is clearer than that no freeman is to be im-
 “ prisoned but according to law: What! not if the
 “ king knows he is coming to attack him? the ar-
 “ gument was specious, and the power of judging
 “ was trusted somewhere and it took away the
 “ whole liberty of the subject. Every man was
 “ imprisoned for a *mandatum domini regis*. There
 “ was another resolution taken that there should be
 “ no money levied on the subject but by the con-
 “ sent

" sent of parliament. What ! not on the case of
 " *necessity* ? they argued, it might in a case of ne-
 " cessity, and that overturned the whole rule ; and
 " when money was raised it was for necessity. Sup-
 " pose there comes an extraordinary case never
 " within the intention of the legislature ; that pro-
 " duced the dispensing power which dispensed with
 " all the power of the legislature ; it must tend to
 " lodge a discretionary power with somebody to
 " judge of that necessity. These are fatal argu-
 " ments indeed ! how far is necessity to justify ? it is
 " sufficient that the officer *suspects or smells a riot*.
 " Is it sufficient when he knows in his own mind
 " that he is going to do a thing that ought to pro-
 " voke the people. If so, that will conclude a too
 " general discretionary latitude.

" IN case rioters should be pulling down houses,
 " and a detachment of the army ordered in aid of
 " the civil magistrate, and a number of the people
 " assemble and stop all the passages, may such de-
 " tachment use force ? I think it hardly possible
 " for any man to word the question stronger than
 " this. I believe these questions were proposed by
 " a friend of the army, that they might have a
 " guard on their conduct. What was the result of
 " this ? when it came to be considered how LIT-
 " TLE THE LAW OF ENGLAND KNOWS
 " OF SOLDIERS ; and how dangerous a motive
 " it was to say, on any account, the law considered
 " them as legal assistance, and how improper it
 " might be to say they should not be made use of ;
 " it

“ it was thought proper these questions should be
 “ answered, and they never have been answered to
 “ this hour.”

BUT it is not alone the magistracy of the metropolis ; the rights of its citizens have been trampled upon with the same violation of public justice and public decorum. Those measures that pulled down the late English administration have been renewed in this country, with every possible aggravation. The CHARTERED RIGHTS OF THE CITY OF DUBLIN have been trenched upon, without so much as the pretext of necessity, or a single charge of delinquency being brought forward : The character or integrity of the gentlemen that constitute the board of directors for paving our streets is no way connected with the subject. The only question of consideration is the interference of parliament in a business, which, by the express letter of the charter, is exclusively intrusted to the corporation of the city. Precedents are dangerous weapons. If parliament can interfere in one instance, it can in fifty, in a hundred, in all possible instances whatsoever ; and if it can interfere with one charter, it can with every charter in the kingdom.

HAD even the mismanagement of the corporation been alledged in defence of the measure, it could avail nothing. Such mismanagement is already cognizable by the law, and it has been admitted as sound and constitutional doctrine to decline

decline extraordinary modes of punishment, where the ordinary and common process of justice is fully competent to the occasion.

THE transactions hitherto alluded to might be supposed sufficiently strong to have elucidated the principles of administration. Enough had been already done to satisfy the most reluctant mind of the formation of a system inimical to the liberties of the country. The work was thought imperfect, as long as the press remained inviolate. It of course devolved upon those whose motto it was,—

Nil actum reputans, si quid superesset agendum.

to attack the palladium of the constitution with the same weapon that had so illustriously signalized them in former machinations.

A PAPER, scarcely ripened into public notice, commences a very singular attack upon one of the leading servants of administration. The writer, little benefitted with a copiousness of diction, has recourse to such types as seem best calculated to convey his sentiments. The obnoxious member is drawn pendant from a gallows, midst the exultations of the populace. Underneath is the last speech of the criminal, with some account of his parentage, a confession of his guilt, and acknowledgement of the justice of his fate. The whole concludes with the most fervent professions of repentance, and the hopes that his untimely end may deter his former companions from persevering in their evil courses.

SUCH

SUCH was the transaction that led to one of the most extraordinary resolutions that could well enter into the mind of man. The devoted paper is, with great gravity, produced to parliament, by the individual minister, whose exit it had announced, and who, not content with so personal a refutation of its falsity, derives from the calumny of the publication, whether of picture or paragraph is uncertain, the necessity of a bill to secure the **LIBERTY OF THE PRESS**. It was about the usual time of a recess, when the most part of the independent members were in the country, upon their respective business, and government had given them to understand that nothing of consequence should be agitated till their return. The moment however is too favourable to let slip. A bill instantly appears, as if conjured up by magic, and with the assistance of the court automata, and the servants in waiting, the minister is able to fly it thro' both houses of parliament with a degree of velocity that could not have been exceeded, had the very existence of the state depended upon the exact moment it was to alight at the throne. In justice to truth it must be observed, that a considerable stand was made by the friends of the people on its introduction, and that with some perseverance, they were able to extract a considerable portion of the poison. This however I will venture to prophecy, that innocuous as the bill may appear to them, it still retains wherewithal to sting the constitution, whenever the caprice or jealousy of a minister may prompt him to make the experiment.

THIS

THIS bill, which now unfortunately constitutes part of the law of the land, as if impatient to shew its real character, utters one falsehood in the title, and another in the preamble. In the first place, it does not secure the liberty of the press, no otherwise than a highwayman may be said to secure your property, by taking it away, and with respect to the licentiousness complained of, I appeal openly to the impartial testimony of the nation at large, whether, anterior to the appearance of the bill, it had been carried to any extraordinary lengths, beyond former usage and precedent. I say anterior to the appearance of the bill, because since that period, I readily admit, that paragraphs of a very suspicious and unjustifiable nature have been imposed upon the patience of the public. They have even been copied into the English papers, in order to vindicate abroad, the necessity of the measures adopted here. The seditiousness or the treason of the publications that may chance to appear to-day, cannot fairly be adduced, as auxiliary to the prudence of the restraint laid yesterday upon publications in general. The restraint itself must be considered as a provocation in a tender point, and the object of the law will be to find out who is the *aggressor*.

Much stress has been laid upon the disturbance of the peace in private families, by the means of the press. I am as willing as any man to reprobate the
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the evil. Not merely to violate the constitution, but to make its very privileges subservient to our revenge, to assassinate, as it were, with the point of liberty, is such a refinement of villainy and baseness, that no term of detestation can well reach it. But these are vices of rare growth in this country. Justice is not to be deposed, because she may happen to be insulted, nor is the human race to be exterminated, because theft, perjury and murder, swell the catalogue of human crimes. Ten righteous men were adjudged by Providence as sufficient to expiate the offences of a great city. Our pious * prelates reverse the decree of heaven, and punish thousands, to expiate the suppose transgressions of an † individual.

WHEN private characters are attacked, when public characters are calumniated, redress may be had

* It is to be lamented that the additional judges have not been appointed from the bench of bishops. The inquisitive and penetrating researches of so learned a body could not fail of illuminating many important prints, that have long lain incrustated beneath the black and opaque letter of the law.

† It has not been thought proper to make any remarks upon the committal of CAREY and BINGLEY, the supposed printers of the Volunteer's Journal. The whole is before a tribunal, that will, no doubt, decide according to the law of the realm.

had agreeable to the laws and spirit of the constitution ; the arm of justice is, in most cases, sufficiently long to reach the offender. But, if our penal code is to be fashioned according to the resentment of every individual in power, who fancies himself aggrieved, the statute book will be no longer a composition of justice, but such a record of tyranny and oppression, as will put the arcana of the inquisition to the blush. Admit this doctrine of abuse, and it will unloose the very arches upon which the constitution is turned. In vain have our ancestors so dearly earned immunities for the subject, if the accidental perversion of them is to amount to a forfeiture. In vain shall we endeavour to regale ourselves midst the sumptuous display of rights and privileges, while the instrument of destruction, suspended from the canopy, tremulously vibrates above our heads.

BUT it is not that this doctrine of † abuse invites an able and crafty minister to commit depredations upon the constitution, but that it so facilitates the attempt, that the weakest cannot fail of success. To

† During Lord Northington's administration, and by express desire, a person was sent over here, to write in favour of government. It is so natural a transition, from defending vice, to defame virtue, that it excited no surprize, that a torrent of calumny and abuse should be directed, at that time, against some of the most illustrious and patriot characters of the kingdom.

reason

reason from the privileges we have been defending, what else has such a minister to do, than to pension § some wretched hireling to traduce the most virtuous characters in the country, till the indignation of the people has sufficiently fermented, and at such a moment, and with the precedent of the present day, to introduce a second, and in like manner, a third bill for the further security of the press, till he has so exhausted the subject, that its dissolution can be no longer problematical. I do not argue from what will be done, but from what may be done. *Obsta principiis*, is so salutary a maxim that it should be engraved in letters of gold upon the front of the constitution.

I SHALL dismiss this subject with solemnly declaring it to be my opinion, that neither the rejection of the Reform-bill with every contemptuous mark of injury and insult, nor the shameless waste of the public treasure in encreased salaries and new appointments, nor the formidable size of our military establishment, nor the determined hostility announced against every measure that might afford relief to our starving manufacturers, nor the unprecedented attacks made on the magistracy and charters of the city, have so clearly evinced the evil inten-

§ The trial by jury is thought the most invaluable privilege of our constitution; yet, jurors have been known to be bribed, and to have given corrupt verdicts, they may be attainted. Even Jefferies would have been startled at the idea of jury-men giving *previous* security to stand the consequence of their verdict.

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tion of those in power, as the bill (and the circumstances attending the bill) which professes to secure the liberty of the press, a liberty, in the words of a celebrated writer, * essential to the nature of a free state, but this consists in laying no *previous* restraints upon publications, and not in freedom from censure for criminal matter, when published.

I HAVE now run thro' the principal subjects, upon which the people declared themselves, that were disposed of in the first sessions of the first parliament that was elected since, the actual acknowledgment of our independence.

THE address shall be treated of in the Postscript. What now remains to be said will not trespass long upon the patience of the public.

THE grievances of the nation may be lessened by many expedients. They can only be radically corrected thro' the medium of parliament. But, as it would be a mockery upon the sense of the people to expect a House of Commons organized as ours, to act subserviently to any of the great purposes of its institution, we must repeat our efforts to attain the great measure of Reform. This alone must be the object to try the arm of the Democracy, if encumbered with others, we shall fatally direct the current into so many channels as to deprive it of the strength and irresistibleness that must accompany it in one direction.

THE

* Black. Vol. 4. 151.

THE Volunteer Associations will, doubtlessly, not relax in their favourite pursuit, it is not only their Rights as Citizens, but their honor as Soldiers, that are comprised in the event, they have pledged themselves to the measure and thus circumstanced they may die, but cannot retreat.

THE system lately embraced of dispensing with uniforms in favour of those whose convenience it it might suit to make them up, the admission of men of all persuasions to an opportunity of learning the use of arms, are a conduct highly liberal and salutary.

THE military strength of the people will ensure peace and justice. It is only to weak minds that it portends bloodshed.

HAD the Barons not been attended against King John, they would not have got Magna Charta. Had they been weakly attended, they must have fought for it. It was their strength that procured both peace and constitution.

It would be prudent to establish committees of correspondence between the counties of each province, and to appoint also a residentiary committee at Dublin to communicate with the several corps throughout the kingdom.

THIS

THIS residuary committee should not be composed of above thirteen. Three from each province, and one from the metropolis. The best time to strike the members will be during the provincial reviews that are to take place during the summer.

LET every county, city, town and borough, have their petitions, praying a more equal representation, ready to be presented on the first day of the opening of the next sessions of Parliament, and such Petition signed by every individual whatsoever at or above the age of twenty one, without distinction of right of freehold or otherwise.

THIS will be the second and last appeal to parliament. It must enforce success; or

* * * * *

IT only remains to remind the people that the times are such, that unless they display on their part as decisive a spirit to protect their liberties, as their enemies do to overthrow them, the power of government will quickly acquire too formidable an ascendance to be contended against at any future emergency.

THE present is an æra in the constitution; but with what countenance posterity will survey it, the vigour of the nation must determine.

GRACCHUS.

P O S T C R I P T.

WE are here engaged in the consideration of a performance that from its nature and singularity is well entitled to a particular attention. It is not perhaps in the most splendid productions of antiquity, nor in the more polished samples of modern eloquence to enter into competition with the address presented by the Commons to his Grace the Duke of Rutland.

THE Genius of the Laureat visibly descended upon the Writer.

" Thoughts all so dull so pliant in their growth, [both.
" They're prose, they're verse, they're neither, and they're

It is fortunate that the name of the Vice Roy is prefixed to the address, had it not, a man of Plebeian understanding would have filily imagined it a poetical eulogium pronounced by the House of Commons upon itself. It is by no means an unnecessary precaution in certain painters, to inform us by the pen as well as pencil whose may be the portrait.

EXCLUSIVE of the disrespect to the representative of majesty in so totally losing sight of him in a piece where he might reasonably expect to be the principal figure; nothing could be more wanton than that so illustrious an assembly should descend to be the herald of its own virtues, considering the very high popularity it had established in every corner of the kingdom.

THE

THE address is comprized in seven paragraphs and might be in as many lines without any extraordinary risque of matter or reputation. I shall give it, nearly as it is, for the use of such country gentlemen as purpose getting into parliament. It will wean them from any vulgar attachment to truth which a rustic education may have inspired, and, at the same time, illustrate the great ornament and utility of *Egotisms* or, which is more heroical, of *Nosisms* in public discourse.

To his Grace, Charles, Duke of Rutland, &c. &c.

The humble Address of the Knights, Citizens, and Burgeses in Parliament assembled.

May it please your Grace,

WE his Majesty's most dutiful and loyal subjects, &c. see, with particular satisfaction, the arrival of a period that enables us to review the various measures *we* have accomplished during the sessions.

WE * congratulate ourselves upon the appointment of a chief Governor who by strictly regulating his conduct by *our* wishes, confirms the confidence we reposed in him previous to our knowledge of that liberal spirit that must ever render him the favourite of a spirited nation.

* The whole of this paragraph duly considered, is, perhaps, the most barefaced impudence that could be well shown by a set of Coxcombs to one undoubtedly a gentleman.

WE

WE are persuaded his Majesty has observed with pleasure, the satisfaction *we* have repeatedly expressed at the blessings of a free constitution.

WHEN we reflect upon the measures *we* have taken to ensure a constant supply of corn, under every *† possible circumstance*, upon the benefit that is to be in the management of the revenue, and the improvements that *are to be* in the metropolis, and OUR PROTECTION OF THE MANUFACTURES OF IRELAND, we doubt not that such a series of services will procure *us* the approbation of our fellow subjects.

WE are not a little proud of the solid advantages * *we* have obtained for this country in a very short period. We are aware that the situation of England has prevented her adjusting some points essential to our trade and manufactures, but we rely on your Grace's assistance, to work such a miracle upon the generosity of that country, as may afford real relief to our *‡ indigence and necessities*.

‡ This is Protestant infallibility with a vengeance.

* This self same *we* is not quite nine months old. Yet as expert at stripping the coffin and plundering its poor deceased ancestor, as if it had been regularly bred up under Messrs ——— and Co. --- A very Cartouche in grain.

‡ Those woeful oppugns, the declaration of solid advantages in the precedent part aliquando dormitat.

WE

We * are guardians of the rights and safety of our fellow-subjects. *We* † are assertors of the national honor, and we feel ourselves called upon to express, and do hereby express, our abhorrence of tumults and seditious publications. We are zealous to uphold the true spirit of the constitution, and we have ‡ *unanimously* resolved, by a most decisive majority, to defend its || genuine liberty against licentiousness.

As we are convinced of the advantages of a permanent administration, we sincerely wish that your Grace may remain sufficiently long in your present department, to afford us frequent opportunities of recapitulating the many national services *we* mean to accomplish.

His Grace's Answer.

Gentlemen,

The affectionate mark of esteem and good opinion which you are pleased to bestow on the house of commons, cannot fail to imprint upon that body the strongest feelings of lively gratitude. It can never relax in zeal or endeavours for the prosperity of Ireland, while it obeys the commands of the sovereign, and has the *assurance* of its own approbation.

* *Soi disant.* Gallice.

† Where are the knights of Tara? They certainly must break a lance with their competitors, or be adjudged recreant.

‡ The minority did not amount to above twenty-eight Vid. Jour.

|| We are at a loss to know what is the *genuine* liberty of the constitution, and what the other species of liberty with which it is contrasted.

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